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# OBSERVATIONS

AND

## REFLECTIONS

ON THE

### Bill

NOW IN PROGRESS THROUGH THE HOUSE OF COMMONS,

FOR "BETTER REGULATING THE MEDICAL PROFESSION  
AS FAR AS REGARDS APOTHECARIES;"

PROVING IT TO BE A MEASURE,

BEST SUITED TO THE PUBLIC CONVENIENCE,

AND MOST CONDUCTIVE TO THE

PRESERVATION OF THE COMMUNITY,

FROM THE

EFFECTS OF EXISTING FRAUDS AND ABUSES.

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Author of an Inquiry into the present State of the Medical Profession;  
Translator of Richerand's Physiology, &c.*

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X

## PREFACE.

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THE readiness of a British Parliament to provide for the wants and conveniences of the people, and the tenor of general equity in its proceedings, have long rendered it the admiration of Europe.

If a canal is to be dug for the advantage of a commercial company, or a bridge to be built for the improvement of a country town, a bill is carried into the House of Commons, its usefulness perceived, and it soon becomes an integral part of the laws of the land.

How much more important to the community must be the equitable and judicious arrangement of laws concerning the medical profession? These involve the dearest interests of every class of people, and yet, strange to tell! there exists no law to prevent bold and ignorant men from assuming the name, and attempting to perform the duties, of Apothecaries, nor any controlling power to hinder such men from trifling with the lives of his Majesty's subjects, in every part of England and Wales.

Every one, who is not in the profession, believes, that the Society of Apothecaries, (better known by the name of Apothecaries' Company,) can compel the unqualified to renounce their pretensions; but, *it is not so*. This Company acts under a charter granted by King James I. in 1616.

It has a jurisdiction in London, and within seven miles, and that power can only be exercised over its own members, who form a small part of those actually in practice in London and its vicinity.

The Apothecaries, who had been carefully educated to the duties of their station, had long felt the degradation, which their fair claims to public confidence and respectability, as a body, sustained by the want of an authority, in proper hands, to inquire into the degree of qualification, and to approve, or reject, those who wish to devote their time to the serious charge of restoring health: for, it will be made apparent, not only that the middle and lower classes of people, which constitute the bulk of the community, are left to the sole care of Apothecaries, but that the opportunity has long existed for *them* to become fully qualified for the task.

It is now more than two years since a general meeting of Apothecaries and Surgeon-Apothecaries<sup>1</sup> was convened in London. A committee was chosen, and proceeded to deliberate on the best means of attaining their object. They made an explicit avowal of their intentions to the Royal College of Physicians, the Royal College of Surgeons, and the company of Apothecaries, but they met only with coldness, contemptuous silence, and indifference.

In consequence of the apathy of the legalised medical bodies, and the illiberal attempts which had been made to misrepresent the tendency of the Bill and the object of its promoters, the author of this little tract, having been nominated a member of the committee, considered it a duty to

<sup>1</sup> The term Surgeon-Apothecary is intended to designate those who practise as Apothecaries, and are also members of the Royal College of Surgeons. They are now the most numerous part of the profession in town and country.



the profession and the public, to give a short account of the subject, and, in January last year, he published a small volume entitled “ An inquiry into the present state of the medical profession in England, containing an abstract of all the *acts and charters* granted to Physicians, Surgeons, and Apothecaries, and a comparative view of the profession in Scotland, Ireland, and on the Continent of Europe ; also a compendious account of its state amongst the ancient *Greeks* and *Romans*, tending to illustrate the urgent necessity of Legislative interference. ”<sup>1</sup>

With the strongest impression of the necessity of the measure and the rectitude of their own intentions, the committee persevered in their endeavours to carry a Bill into the House of Commons for the appointment of a Board of Examiners to superintend professional affairs. They rested on the justice of their claims, and trusted to the discrimination of the Legislature to protect the public from the effects of existing frauds and abuses.

Soon after this period, the Apothecaries’ company acknowledged the necessity of Legislative interference. The Royal College of Physicians sent a communication to the committee of Surgeon-Apothecaries, to signify that they would not oppose the intended bill, if carried to Parliament by the Apothecaries’ company, and if, previously, submitted to them for approval. The committee hailed these sentiments with satisfaction, and surrendered the management of the affair to a deputation from that body, reserving to themselves the right of watching the progress of the measure,

<sup>1</sup> A copy of the book, in boards, was given and forwarded to the residence of every member of the Houses of Lords and Commons, at the sole expense of the author, who, in evincing that costly proof of his sincerity for the success of the cause, offered to every one an opportunity of regulating his opinion, and only required concurrence, when convinced of the public benefit to be derived from the proposed measure.

for the benefit of the general profession by whom they were deputed.

The committee of the Apothecaries' company was chiefly formed of those members, who were in the Court of Assistants: frequent and amicable communications existed between them and the original Committee, whose prior resolutions and suggestions were almost universally adopted. A new Bill was drawn up, founded upon the charter of James the first, with such modifications as the difference in the state of society and the progression of science seemed to require. The Royal College of Physicians was consulted, and its concurrence obtained for the various clauses before the bill was printed; but it has since appeared that this College intends to oppose the bill in progress.

It is to point out the beneficial tendency of this Bill, and the equity of its clauses towards Physicians, Apothecaries, and the public, that the author has again taken up his pen, and he hopes to prove, that all opposition to their enactment must be founded on a system of illiberality and injustice.

No. 12., New Burlington Street,  
March 21, 1815.

\* \* \* *The Bill, to which these observations relate, has, since the pamphlet was first published, passed into a law.*



# OBSERVATIONS,

&c. &c.

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To provide a sufficient number of men properly educated for the duties they are called on to perform, and to protect them in the fair discharge of these duties, must be objects alike impressive on the mind of every member of the Legislature, and a judicious arrangement to secure the accomplishment of these objects, must be no less important to the community. These are questions, which merely demand such a degree of deliberate consideration, as may be requisite to settle a point of domestic polity : neither asperity of language, nor bias in politics, can have place in a subject of mutual convenience,

The Bill now in Parliament ‘for enlarging the charter of the society of Apothecaries in the City of London, granted by his Majesty King James the First, and for better regulating the practice of Apothecaries throughout England and Wales,’ will soon become a subject of discussion. No partial interests, no monopoly of power, no exclusive privileges, which, directly or indirectly, militate against the advantage or convenience of the community, can be long suffered to obscure the light of plain reason, or resist the force of undisguised truth.

The Bill is explicit on all points. It begins by reciting the original Charter of 1617, and prays ‘That the said Master, Wardens, and Society of Apothecaries, for the time being, and their successors, or any of the Assistants, or any other person or persons properly qualified to be, by the Master and Wardens, nominated and assigned, shall and may, from time to time, and at

all seasonable and convenient times, in the day time, as often as to the said Master and Wardens it shall seem expedient, go and enter into any shop or shops of any person or persons whatever, using or exercising the Art or Mystery of an Apothecary, or any part thereof, in any part of England or Wales, where any Medicines, simple or compound, wares, drugs, or any other things whatsoever which belong or appertain to the Art or Mystery of Apothecaries as is aforesaid, shall be probable and likely to be found; and shall and may search, survey, prove and determine if the same Medicines, simple or compound, wares, drugs, or any other thing whatsoever belonging to the Art or Mystery of Apothecaries aforesaid, be wholesome, medicinable, meet and fit for the cure, health and ease of his Majesty's Subjects.'

A punishment by fine, progressively greater for repetition of the offence, and an exposure of the name of the offender, are proposed to be inflicted on those who keep bad Drugs and Medicines improperly prepared.

This clause cannot be objectionable to any Member of the Royal College of Physicians, or of Surgeons, being intended to secure to the prescriber the certainty of good Medicines.

The next clause relates to the admixture, or compounding of Medicines, and it is very imperative on the Apothecary to be careful, in these words: 'and whereas it is the duty of every person using or exercising the Art or Mystery of an Apothecary, or any part thereof, to prepare with exactness, and to dispense such Medicines as may be directed for the Sick by any Physician lawfully licenced' to practise physic,' &c. The clause proceeds to impose heavy fines and penalties, amounting to a prohibition from practice, where the offence has been repeated a third time.

The necessity of securing to Physicians the full influence of their remedies, was an object of solicitude to the Committee of Apothecaries. It must be evident, that every thing which could

<sup>1</sup> It is probable, that the words 'by the Royal College of Physicians in London' will be added after the word 'licenced:' otherwise Apothecaries may be under the control of Doctors, who possess Diplomas from such Universities, as St. Andrew's and Aberdeen, which are to be purchased without residence of the Candidate, *or his appearance on the spot.* This Traffic is disgraceful to the Country.



have a tendency to prevent abuse, and punish dereliction of duty, was embodied into the strongest language, and this subordination of Apothecaries to the Physicians of the Royal College in London is strictly proper. The reputation of the Physician, and the recovery of the Patient, are much dependent on the integrity of the Apothecary, and he who would wantonly trifle with the one, or endanger the other, deserves the severest punishment.

After the recital of certain clauses, in the usual diction of Acts of Parliament, describing the manner of choosing a Master, Wardens, and Assistants, and of appointing a Board of Examiners, reciting the oath of impartiality to be taken by every Member of that Board, and the provisions for keeping it effective, the Bill proceeds in these words :

‘ And be it further enacted, that it shall and may be lawful to and for the said Master, Wardens, and Assistants, for the time being, and they are hereby required to call upon the President, and four Censors, or Governors of the College and Community of Physicians, of London, or other Physician or Physicians, by the President aforesaid, to be named for that purpose, to assist and be present at every, or any examination of any person or persons applying to be examined as aforesaid, for the purpose of ascertaining the skill and abilities of such person or persons in the science and practice of Medicine ; and such President, Censor or other Physicians or Physician so to be nominated (if any) shall and may be by the said Master, Wardens, and Assistants, added to and made part of the said Court of Examiners for the time being, but so as no act to be done by the said Court of Examiners shall be void, or rendered illegal and ineffectual, for want of attendance of the said President, Censors, or other Physicians or Physician as aforesaid.’

The respective deference of the Society of Apothecaries to the Royal College of Physicians, is again exemplified in this clause ; but they have judged it expedient to fence themselves, and to protect the public, from the inconvenience of interruption in their proceedings, by the occasional non-attendance of Physicians.<sup>1</sup> This

<sup>1</sup> A provision is made to give a suitable fee for such attendance of Physicians.



must be acknowledged to be necessary, when their own Court of Examiners will be composed of men, who have received a good literary education, served an apprenticeship, passed through their medical studies *as Physicians' pupils in the Hospitals of London*, and who have been engaged, not less than fifteen or twenty years, in the daily exercise of their professional duties.

*It is not proposed to interfere with Apothecaries already in practice*: but the qualification of those, who are to be permitted in future, consists in having served an apprenticeship to an Apothecary, of not less than five years; in having attended the medical practice of one or more hospitals in London, or in a provincial hospital, during a certain number of months;<sup>1</sup> and in producing "other testimonials, to the satisfaction of the said court of examiners, of a sufficient medical and classical education, and of a good moral conduct."

No part of this clause can, by any possibility of construction, be objectionable to the Fellows and Members of the Royal College of Physicians.

The Apothecary, who is heavily responsible for the correctness of preparing the prescriptions of the Physician, ought to be well acquainted with the language in which they are written; and he, whose prompt interference is so often demanded in the absence of the Physician, would be worse than useless, if not tolerably acquainted with the principles, on which the Physician was acting for the relief of the patient; but his temporary and intermediate assistance, when so qualified, becomes conducive to the wished-for result—the cure of the complaint.

A subsequent clause relates to the Assistants of Apothecaries; and it is proposed, that no one shall be employed hereafter, unless he has been regularly educated to the profession, and examined as to his fitness for the duties of his station. This must be as desirable to Physicians, as it is creditable to Apothecaries, and useful to the public.

The remaining clauses concern the due execution of the Bill when passed into a Law. The only one of importance relates to

<sup>1</sup> The period of attendance is left a blank space, to be filled up in the progress of the Bill.

the other medical bodies ; and, in this point also, the Committee of the Apothecaries' Company has followed the course, previously pursued by the Committee acting for the general profession, by asserting their undeniable claims to public confidence and support, without a wish to detract from the rights of others, as may be seen by the following extract :

“Provided always, and be it further enacted, that nothing in this Act contained, shall extend, or be construed to extend, to lessen, prejudice, or defeat, or in any wise to interfere with, any of the rights, authorities, privileges, or immunities, heretofore vested in, and exercised and enjoyed by, the Royal College of Physicians, and the Royal College of Surgeons,” &c.

It would be a waste of time to comment on the fairness of a clause, of which the language is so candid and explicit.

To sketch an outline of the Royal College of Physicians, to illustrate the usefulness of well educated Apothecaries, to prove the existence of pretenders and the melancholy consequences of their ignorance, and to point out the inadequacy of the present laws to punish offenders, will form the remaining subjects for the Author's task.

The revival of learning, after many centuries of Gothic ignorance, having first taken place in Italy, medical schools were established at Salernum, Padua, and other cities. Thither men used to resort, from England and various parts of Europe, to obtain professional knowledge, and take a degree as Doctor in Medicine, after having studied the learned languages in their own countries.

Knowledge having soon become more extensively diffused by the return of English Physicians, and encouragement being given to foreign professors to settle in Britain, it was found to be as unnecessary as it must have been inconvenient, to visit Italy for leave to practise medicine in England.

In the year 1511, King Henry VIII. permitted the first establishment of a Tribunal, consisting of the Bishop of London, or, in his place, the Dean of St. Paul's, as President, and authorised him to call “four Doctors of Physic,” and, for Surgery, “other expert persons of that faculty,” to examine those who wished to exercise professional duties.



In the same reign (anno 1540) the Royal College of Physicians was established in London. A President and Censors were appointed, with provisions for the perpetual management of the affairs of the College, and the power of making bye-laws. Its jurisdiction was confined to London, and a circuit of seven miles.

All Candidates for a Fellowship in the Royal College of Physicians, must have taken the Degrees of Bachelor of Medicine, Master of Arts, and Doctor of Medicine, in one of the English Universities (Oxford or Cambridge) before presenting themselves for examination in Warwick Lane. They are questioned in Latin on Medical Knowledge, and, if approved, admitted Fellows of the Royal College, by whom alone the affairs of the College are conducted. These are empowered to examine Graduates of certain other Universities, and, having become convinced of their fitness, to grant permission for them to practise.—Such Physicians are called Licentiates. Every Physician, therefore, of the Royal College in London, has given proofs of a suitable education, and may be justly considered worthy of public confidence.

Whatever might have been the former excellence of public Lectures on Anatomy and the Practice of Physic in Oxford and Cambridge, it has long ceased; for they are now proverbially deficient. No adequate Course of these Sciences is given to Students in either University. This does not prevent Graduates from acquiring all the requisite information upon those points, because the intervals between keeping the Terms of the University, permit a migration to London or Edinburgh, where every opportunity and facility exist, for perfecting their Medical Education; and so unquestionable is this fact, that *there is not one Fellow of the Royal College of Physicians, now in practice, who has not availed himself of absence from the English Universities, for that purpose.*

The state of the Society, at the establishment of the Royal College of Physicians, was widely different from what it is at present. The ancient nobility, and a few rich citizens, constituted one class of persons; whilst the servants and dependents of the former, added to the workmen and laborers of the latter, formed another class. The noble and the wealthy could afford to fee their Physicians; and it was not usual, in those days, to legislate for the wants and conveniences of others.

The progress of commercial prosperity, since that time, has so greatly multiplied, that it may be almost said to have created a third, which is now the most numerous class of people—the middle order of society. Persons of this description, without hereditary possession in land, pay their quota of taxes for the support of government, and maintain their families, in respectability, by their industry in various trades, and by a commerce in articles formerly unknown; but which have been long identified with the comfortable existence of almost every individual in the nation.<sup>1</sup>

One effect of this augmentation of the middle orders of the community was a proportionate increase of sickness, amongst people, who were unable to procure medical aid, by seeing physicians as often as their situation required professional care, and, the Members of the Royal College of Physicians, having made no diminution in their accustomed fee, to meet the actual wants of persons in this class of society, they were compelled to resort to others for advice.<sup>2</sup>

The Company of Apothecaries, as before mentioned, having been established in 1616, and its Members being *the only persons permitted by law*, to prepare Medicines, and compound the Prescriptions of Physicians, the middle orders of society, and all above parish paupers, very naturally resorted to them for advice, as well as medicine; for those who were daily occupied in such employment, must have been most likely to afford occasional relief.

That which is palpably necessary, and mutually convenient,

<sup>1</sup> The improvements in manufacturing iron and other metals in Birmingham, Sheffield, and Wolverhampton; in Cotton at Manchester, Nottingham, and Leicester; in Wool at various towns of Yorkshire and the West of England, &c. &c. have given employment to many hundred thousand individuals, by whose labor and ingenuity the merchant and inland trader have been equally benefited, and a more general diffusion of property made to exist throughout the commonalty of England.

<sup>2</sup> There is a spirit of laudable independence in the mind of every Englishman, to prefer obtaining the necessaries and conveniencies of life by his own efforts, to accepting of gratuitous assistance: nothing but actual inability and abject poverty can break this spirit, which, with all its disadvantages, constitutes the prosperity and strength of the nation.



soon becomes settled into a custom, and custom, uninterruptedly continued during more than a century, almost acquires the validity of law.

It was convenient for the Physician to limit his practice to the opulent,<sup>1</sup> (who likewise increased in number with the advancing prosperity of the kingdom) and to continue taking large fees. It became expedient, therefore, that the Royal College of Physicians should permit others to give advice to those, who could not afford to pay fees to themselves; and the Apothecaries, thus resorted to, found it conducive to their interest, to make themselves as well qualified as possible for the required and assumed task.

When the Royal College of Physicians was founded, there were no public Lectures given in London on Anatomy, Physiology, and the Practice of Medicine; but the establishment of them, *about two centuries ago*,<sup>2</sup> permitted the Apothecaries to acquire such knowledge as enabled them to relieve the people on general occasions, and, in cases of difficulty or danger, Physicians could be resorted to with advantage; when it would have been utterly impossible for *such patients* to have sustained the expense of their *exclusive* attendance.

The great improvement in all sciences connected with Medicine, the increase of public teachers, the extensive Hospitals in London, and the long-established usage of Hospital-Physicians, in taking numerous pupils from amongst the students, who afterwards practised as Apothecaries, are arguments in favor of the Bill; for those

<sup>1</sup> It is not intended, by this expression, to infer, that Physicians did not prescribe for any but the rich; for they have always been friends to the poor. Some of the most celebrated, from the period of the establishment of the Royal College down to the present time, gave advice, certain days and hours, gratis. The beneficial effect of this was too limited for general purposes, and the reason alleged in the last note, rendered it even less effective.

<sup>2</sup> No better proof of this assertion need be given, than the following quotation from the life of the illustrious Dr. Harvey (published by the Royal College of Physicians in 1766) who, having been appointed to succeed Dr. Wilkinson, as Physician to St Bartholomew's Hospital, began to give Lectures on Anatomy and Surgery;—"Quarto Augusti die anno post Christum natum, 1615, a Collegio Medicorum munus Harveio datum est, ut Anatomiam et Chirurgicam ex instituto *Lumleii* atque *Caldwalli* exponeret."

who have availed themselves of such advantages, were enabled to become highly useful to the public, and, on that account, it cannot be denied, that they are justly entitled to a proportionate degree of distinction and protection.<sup>1</sup>

Although no part of the present Bill relates to the affairs of Surgeons, it may be proper to observe, that many Apothecaries have gone through a regular course of instruction in Surgery, and combine that with their other occupation. They are, on this account, more extensively useful, particularly in thinly-populated districts of the country, where there would not be possible subsistence for three persons—the Physician, the mere Surgeon, and the mere Apothecary. In such places the poor would not obtain help, if medical and surgical aid were not given by one individual, who, having learned to prescribe and compound Medicines, to reduce a dislocation, and manage a fractured limb, can barely earn a decent living by the full employment of his time, with excess of personal fatigue, in riding from 30 to 40 or more miles, every day, to visit a dozen patients.

The number of individuals who practise as prescribing Apothecaries, without due qualification, is considerable. The proportion of those who have not the shadow of a pretension is very great.<sup>2</sup>—

<sup>1</sup> There is a regular scale of fees paid to Physicians in every hospital in London, for permission to attend their practice during six or twelve months; and these Physicians being all Members of the Royal College of London, it would be a libel upon their own character to intimate, that such pupils are not competent to prescribe for the sick, and fulfil the duties they profess.

<sup>2</sup> When an inquiry was instituted in Lincolnshire, in 1804, Dr. Fawcett was appointed Vice-President for the Horncastle district, and reported, that in his division, including the market-towns of Horncastle, Spilsby, Alford, and Tattershall, there were five Physicians (all graduates of Scotland) eleven Surgeon-Apothecaries, twenty-five Druggists, forty irregulars of both sexes (over and above the Druggists) sixty-three midwives, *not one of whom had received any instruction*, making an aggregate of 144 persons, exercising Medicine for gain, of whom only *one in nine* had been educated for the profession.—Mr. Shuttleworth took a survey of the Market-Razon district, including the market towns of Wragby, Razon, and Castor, and reported that no Physician resided in his division: Seven regular practitioners as Surgeon-Apothecaries, nine druggists, (one of whom served an apprenticeship) seventeen irregulars, of both sexes, over and above the Druggists; one of the men follows midwifery: thirty-two midwives, *not one of whom had*



When it is remembered that science is neither hereditary nor intuitive, but the result of close attention to particular studies, when it is recollected that the lives of numberless individuals is totally dependent on the medical knowledge of Apothecaries, the mind recoils with horror, at the contemplation of the multitude of persons that must be annually sacrificed, either by the want of skill in pretenders to employ proper remedies, or by the misapplication of mercury, opium, and other active and useful medicines. No man will have the temerity to assert, that the due regulation of this department of the medical profession, can be uninteresting to any rational being, or indifferent to the government of the country.

It has been intimated, that the Druggists have convened meetings of the trade to oppose the Apothecaries' Bill. The author of these observations would be ashamed of entertaining prejudices against any class of men, or of permitting unworthy motives to bias his mind, in advocating the cause of truth and justice. In prosecuting the subject, in his "*Inquiry into the Present State of the Medical Profession*," he endeavoured to show, that the solicitude, which must necessarily exist in the mind of Apothecaries, for the expected operation of remedies, and their beneficial influence, whether prescribed by themselves, or in co-attendance with a Physician, could not be *equally* impressive on the promiscuous compounders of prescriptions in the shops of Druggists, who, being uniformly actuated by the general principles of trade, must be, chiefly, interested in the ratio of profit upon the compounds. Such persons have no knowledge of the patient, no anxiety for the relief of acute or protracted suffering.

To prevent the suspicion of representing ideal evils, it was requisite to illustrate the truth of these allusions, by pointing out some of the adulterations, substitutions, and frauds, daily practised, and the catalogue can be easily augmented, if necessary; but the correctness of those remarks will not be questioned.<sup>1</sup>

received any instruction. In all, sixty-five persons exercising Medicine for gain, of whom not one in nine had been previously educated to the profession.

<sup>1</sup> The drug-dealing Grocers were separated from the Apothecaries' Com-

Apothecaries have reason to remark, that Physicians often prefer sending their prescriptions to Chemists' shops; and it has been suspected, that they insinuate the idea of Medicine being more fresh, or more accurately prepared. There can be no truth in such insinuations against those Apothecaries who are Members of Apothecaries' Hall, nor others, if they are adequate judges of drugs, and properly attentive to their duties; but, if they are ignorant, or negligent, they can have no claim to public confidence.

Some Physicians, and Hospital-Surgeons, are known to write prescriptions, and not to take any concern as to the due preparation of them; whilst others go a step further, and say to this effect:—"You will get the medicine at this or that place," (always a Druggist's shop) "and I shall see you at such a time."—Whenever this is done, with a previous knowledge that the individual or family has been accustomed to employ an Apothecary of unimpeachable character, it is, to say the least, an act of injustice; and the writer does not hesitate to declare, that, if practised towards himself, it should not pass in silent contempt.

Others take a different ground, and endeavour to keep away Apothecaries, by intimating that the medicine can be procured rather cheaper at a Druggist's. Here the intention becomes too apparent to impose on any except the most shallow understanding. It is not done out of tenderness for the patient's purse; but, insidiously meant to promote their own advantage, by *creating* a more frequent necessity of being sent for, on every occasion, however trivial.<sup>1</sup>

pany in 1616, for the same reason, which is thus expressed:—"Insalubria, nociva, falsa, corrupta, et perniciosa, faciunt et componunt medicamenta."—Pandora's box, in fabulous history, did not contain the seeds of more evil, than the Laboratories of Wholesale Chemists and Druggists produce in real life.—See "The Inquiry," pages 39 to 47.

<sup>1</sup> No personality is intended by any of the above remarks; but to have frittered away the truth in obscure allusions, would have been culpable timidity. Errors in judgment are venial faults: these are *weeds of the mind*, which, if not rooted out by a more honorable mode of thinking, must be cut down by pointed and severe animadversion. *It is known*, that the Master and Court of Assistants of the Royal College of Surgeons, would mark such conduct with disapprobation. It is believed, that the President and



Misrepresentation and cunning are petty arts ; men of real ability would be ashamed to exercise them. It is hoped, therefore, that very few degrade themselves by the practices alluded to. Every Physician should maintain his superior rank by a proportionate superiority of professional acquirement ; and he will then have no just cause to fear competition.

It cannot be denied, that all persons have a right to judge for themselves in the disposal of their own money ; and there can be no reasonable objection to the Physician attending alone, when patients are able to pay his fees ; but *it is contended, that the commonalty, or at least nine-tenths of the people, are not able to do so,* and that Apothecaries, on this account, are absolutely requisite.

Following the undeniable principle of voluntary action, when not contrary to law, or established usage, it must be admitted, that people have also a right to send for Apothecaries ; and it is evident they can do so with safety ; since it has been shown, that the means of acquiring medical knowledge are within reach, and actually pursued by all the respectable of them, before they begin to practise : nor does it require a long argument to prove, that individuals and families will avail themselves of their advice, which, on general occasions, is obtained (including medicine) at one-fourth, or one-sixth, of a guinea, when they believe that such advice will answer the intended purpose.

By a parity of reasoning, the Druggists' shops may be resorted to, whenever people can persuade themselves that it is to their own interest to go there ; but they have a right to expect of the Government, that these shops are, in future, rendered subject to a supervising power, and *their proprietors made heavily responsible for the due preparation of every medicine.* It is a singular fact, that the Censors of the Royal College of Physicians, who sometimes examine the petty shops of little dealers, never go into the Laboratories of the wholesale Druggists and Chemists, from which such shops, and those of many country Apothecaries, are supplied. This may not arise from neglect on the part of the Censors ; for

Fellows of the Royal College of Physicians would be no less tenacious of their own dignity, if a case were fully made out, and pressed on their consideration.

they cannot, perhaps, take cognizance of those (the Druggists) *who are not legal compounders of medicine*; and, if this be the case, it exhibits another view of the insufficiency of the present laws to afford due protection to the public.

The want of an authority, to prevent ignorant dabblers in Medicine from committing ravages on the health of the community, renders them bold and presuming, in proportion to the great probability of avoiding detection; and, if detected, of evading the punishment due to their crimes. This detrimental state of things must continue, if the present Bill be not passed into a Law.

It has been always acknowledged, that connivance at fraud is an indirect encouragement of it; yet trespassers are kept in some check, where a power has been created *for the public good*, although the individuals, in whom that is vested, may be too indolent to do their duty.

It has been proved, that the opportunity of acquiring a good medical education, in London, has long existed, and, that the more respectable Apothecaries avail themselves of the best means of becoming useful to the public.

It has been shown, that the jurisdiction of the present Charter of the Apothecaries' Company is confined to London, and a circuit of seven miles; and that, *even there*, its power is limited to a watchfulness over the conduct of its own members, whilst the greater number of Apothecaries are subject to no control.<sup>1</sup>

It has been asserted, and exemplified, that the want of a proper authority, to compel every person who presumes to meddle with the health of his neighbour, to give proofs of his competency, is productive of much serious calamity, inseparable from a lawless range in medical affairs, by which the lives of people are trifled with, and their infants and children destroyed, by wily incapacity, in the specious garb of science.

The only remaining point relates to the best means of obtaining a succession of practitioners, capable of doing their acknow-

<sup>1</sup> In cases of misdemeanor, admitting of actual proof, they are cognizable at common law; but the detection of mal-practices is usually difficult, often impossible; besides, it is always better to prevent the commission of crimes, than to wait for the occasion of punishment.



ledged duties, and of protecting the public from the effects of the frauds and abuses alluded to.

The author feels confident, that the present Bill, if passed into a law, will serve as an effectual check to the daring and the ignorant. He founds his opinion upon much and attentive consideration of the whole subject; and he has endeavoured to illustrate that opinion by quotations from, and comments upon, every material clause. He has been as studious to avoid unmerited severity in his remarks, as he shall ever be anxious to abstain from flattering prejudices by the sacrifice of veracity; being only desirous of convincing the understanding of his readers, by a clear statement of facts, with direct inferences from them, and of conciliating those who may have misunderstood the principle of the Bill, and the motives of its advocates, by a plain detail of proceedings.

Is it not, then, reasonable to expect, that the Legislature and the public will unanimously admit the necessity of instituting a Tribunal, for the future preservation of the community from the dreadful consequences alluded to, involving the lives of themselves and their families?

Can it be denied, that men, who have passed through a regular course of studies in the best school for instruction (London) ought to feel anxious to assert their just claims to public confidence, and that they should wish to prevent their successors from suffering the degradation *they* have long sustained, by being indiscriminately confounded amongst a crowd of ignorant people, whose practices detract from the reputation of a learned and liberal profession?

Will it be called presumption in men, who have received an early education to the useful duties they profess, and have been afterwards daily employed, during many years, in the honorable discharge of those duties, to consider themselves capable of forming such a Board of Examiners, as shall be able to judge of the qualifications necessary to be possessed by Apothecaries, even in the absence of the President, or some Member of the Royal College of Physicians in London?—See Note<sup>1</sup>, page 326.

It has been mentioned, that many of the Fellows or governing Members of the Royal College, are Physicians to Hospitals, and

receive pupils from amongst the young men, who afterwards settle as Apothecaries and Surgeon-Apothecaries. There are others also who give lectures on the practice of Medicine and Chemistry, and no inconsiderable part of their income proceeds from the fees of attendance paid by those students.\* Surely, then, such Physicians and Lecturers, as are *Fellows*, will not give their votes in *Comitia* (an assemblage) of the College, nor the Licentiates lend their sanction, directly or indirectly, to any measures of opposition to the Bill. A proceeding of this kind would exhibit a line of conduct highly disgraceful, subversive of their reputation and interest, and could not be tolerated by the profession at large.

To conclude, the Author sincerely hopes, that the opposition which the Royal College of Physicians has declared to the Bill is rather intended as a vigilant endeavour, to see that all its clauses be made most effective to secure the accomplishment of their objects, than an opposition to its principle, or an attempt to frustrate its enactment, by any means which would expose that learned body to the suspicion of being actuated by jealousy, illiberality, or injustice.

Let it never be forgotten, that the original establishment of the College (in common with all chartered bodies) was not intended for the narrow limits of private advantage, but for the wide circle of public good.

\* The *Lecturers* in London, at present, are Dr. George Pearson, Dr. Babington, Dr. Hooper, Dr. Ager, Dr. Marcet, Dr. Adams, Dr. Curry, Dr. Tuthill, Dr. Hue, Dr. Clutterbuck, Dr. Roget, Dr. Harrison, Dr. Davy, Dr. Chomeley, and Dr. Buxton.